

ARIZONA STATE LAND DEPARTMENT (ASLD)

Date July 20, 1976

RE: Your Application Number C-31360 for a Commercial Lease  
Cyprus Mines Corporation  
 TO: Cyprus Bagdad Copper Co. Division Address: P. O. Box 245, Bagdad, Arizona 86321

The Arizona State Land Department believes that it may issue documents only in accordance with ARS 33-401. Upon receipt of the following information from you properly completed and signed, the Arizona State Land Department will proceed to process your request.

Andrew L. Bettwy, State Land Commissioner

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TO: Arizona State Land Department, 1624 West Adams, Phoenix, Arizona 85007

RE: Compliance with ARS 33-401

I have read ARS 33-401 shown on the reverse side of this sheet and enacted by the 33rd Legislature 2nd Session (1976).

I have requested a Not Applicable in the name of Not Applicable from the ASLD. The ASLD has advised that my application request may fall within ARS 33-401. In order for the ASLD to comply with that law, the ASLD has requested the following information before the ASLD may issue the above requested document, viz:

1. The name, address, age, citizenship and marital status of each of the beneficiaries, principals or wards for whom I, Not Applicable, will hold title are Not Applicable (applicant)

2. The trust or other agreement under which I, Robert C. Bogart, will ~~hold~~ title is identified as follows: Resolution of the Board of Directors of Cyprus (sign) Mines Corporation, dated October 30, 1973, as attached. OR

3. The proper description by reference to Book, page and document number of file to the instrument, order, decree or other writing which is of public record in the County in which the related land is located in which such matters shall appear is as follows:

Not Applicable, unrecorded deed.

I make the foregoing representations to the ASLD as being true and correct and as an inducement to the ASLD to issue the above document I have requested. I further understand and agree that if the information herein supplied to the ASLD is false or does not comply with the provisions of ARS 33-401 that document shall be voidable.

*Robert C. Bogart*  
 Witness to signature of applicant

9/8/76

bab

Dated: September 8, 1976

*Robert C. Bogart*  
 Applicant

Cyprus Bagdad Copper Company Division  
 Cyprus Mines Corporation (A New York Corporation)

PDC000671

DESCRIPTION OF LAND LEASED CONTAINED IN LEASE SUPPLEMENT ATTACHED  
HERETO AND MADE A PART HEREOF.

06	12	75
MO.	DAY	YR.

03	31360	00
KE	LEASE NUMBER	

**PDC000672**

## SPECIAL CONDITIONS

That it is further understood and agreed that this lease is issued for the purpose of:  
A water pumping facility.

In the event lessee is not the successful bidder at any public auction sale of natural products, water, to be produced from a well or wells on the subject lease premises then this lease shall ipso facto terminate as of the date of such natural product sale. Reimbursement for improvements on the commercial lease, if any, shall be made as provided by law and the regulations of the State Land Department.

SPECIAL CONDITION

It is agreed and understood by Lessee that withdrawal of groundwater is subject to all of the limitations resulting from the opinion of Arizona Supreme Court in Farmers Investment Company v. Pima Mining Company, et al, June 19, 1974, \_\_\_\_\_ Ariz. \_\_\_\_\_, 523 P2d 487, and should any such withdrawal of groundwater be limited or restricted in any lawful manner that Lessee shall have no recourse against the Arizona State Land Commissioner, the Arizona State Land Department or any of its respective officers, agents, servants or employees from any damage arising from such limitation or restriction of groundwater from the premises subject to lease.

Further, Lessee agrees to save, hold harmless, and indemnify the State of Arizona, the Arizona State Land Commissioner, the Arizona State Land Department and its officers, agents, employees and servants from any and all claims, costs, damages, expenses, or charges arising out of, incidental to, or resulting in any way from this agreement, including any liabilities arising from the action or failure to act by the State of Arizona, the Arizona State Land Commissioner, the Arizona State Land Department and its officers, agents, servants and employees.

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DIV OF CYPRUS MINES  
P O BOX 245  
BAGDAD AZ 86321

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